

EXHIBIT 5

Yvette Toko

From: Steve Rothschild
Sent: Monday, January 26, 2015 1:31 PM
To: 'Krasik, Curtis B.'
Subject: RE: Danzig v. Caiafa et al., USDC (C.D. Cal.) Case No. 2:14-cv-02540-RGK-RZx

Sure

Stephen D. Rothschild
King, Holmes, Paterno & Berliner LLP
1900 Avenue of the Stars, 25th Floor
Los Angeles, CA 90067
Telephone: 310-282-8986
Facsimile: 310-282-8903
Email: rothschild@khpblaw.com

From: Krasik, Curtis B. [<mailto:Curtis.Krasik@klgates.com>]
Sent: Monday, January 26, 2015 1:30 PM
To: Steve Rothschild
Subject: Re: Danzig v. Caiafa et al., USDC (C.D. Cal.) Case No. 2:14-cv-02540-RGK-RZx

Sure. I'm in our Miami office prepping for a hearing I have in the morning so can I give you a call around 6 eastern?

On Jan 26, 2015, at 3:39 PM, "Steve Rothschild" <Rothschild@khpblaw.com> wrote:

Do you a few minutes to talk about settlement and the deposition schedule?

Stephen D. Rothschild
King, Holmes, Paterno & Berliner LLP
1900 Avenue of the Stars, 25th Floor
Los Angeles, CA 90067
Telephone: 310-282-8986
Facsimile: 310-282-8903
Email: rothschild@khpblaw.com

From: Krasik, Curtis B. [<mailto:Curtis.Krasik@klgates.com>]
Sent: Friday, January 23, 2015 1:53 PM
To: Yvette Toko; Verdini, Christopher M.; Gold, Seth A.; Goodrich, Christina N.
Cc: Howard King; Steve Rothschild; Krasik, Curtis B.
Subject: RE: Danzig v. Caiafa et al., USDC (C.D. Cal.) Case No. 2:14-cv-02540-RGK-RZx

Steve,

Regarding your deposition notice to Gerard Caiafa, we would like to conduct the deposition in Wayne, New Jersey, which is closer to the deponent's current residence. I assume it makes no difference to you whether you get a conference room in Wayne or Westfield, New Jersey. Additionally, due to a prior commitment scheduled before we received your deposition notice on January 15th, we will need to start the deposition at noon. This obviously will not affect your time to take the deposition in accordance with the Federal Rules of Civil Procedure. Please confirm the new location of the deposition at your earliest opportunity. Thank you.

From: Yvette Toko [<mailto:ytoko@khpblaw.com>]

Sent: Thursday, January 15, 2015 8:24 PM

To: Krasik, Curtis B.; Verdini, Christopher M.; Gold, Seth A.; Goodrich, Christina N.

Cc: Howard King; Steve Rothschild

Subject: Re: Danzig v. Caiafa et al., USDC (C.D. Cal.) Case No. 2:14-cv-02540-RGK-RZx

Good afternoon,

On behalf of Mr. King and Mr. Rothschild, please refer to the attached.

Yvette T. Toko

Secretary to Stephen D. Rothschild, Esq.

King, Holmes, Paterno & Berliner, LLP

1900 Ave of the Stars, 25th Floor, Los Angeles, CA 90067

Tel.: 310.282.8989 Ext. 255 | Direct: (310) 282-8955

Fax: 310.282.8903 | Email: ytoko@khpblaw.com <<mailto:ytoko@khpblaw.com>>

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Curtis.Krasik@klgates.com. -4

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Curtis.Krasik@klgates.com. -4

1 KING, HOLMES, PATERNO & BERLINER, LLP
2 HOWARD E. KING, ESQ., STATE BAR NO. 77012
3 STEPHEN D. ROTHSCHILD, ESQ., STATE BAR NO. 132514
4 ROTHSCHILD@KHPBLAW.COM
5 1900 AVENUE OF THE STARS, 25TH FLOOR
6 LOS ANGELES, CALIFORNIA 90067-4506
7 TELEPHONE: (310) 282-8989
8 FACSIMILE: (310) 282-8903

9 Attorneys for Plaintiff and Counter-
10 Defendant GLENN DANZIG

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

13 GLENN DANZIG, an individual,
14 Plaintiff,

15 vs.

16 GERALD CAIAFA, an individual;
17 CYCLOPIAN MUSIC, INC., a
18 corporation; and DOES 1 through 10,
19 inclusive,

20 Defendants.

CASE NO. CV14-02540 RGK-RZx
Hon. R. Gary Klausner, Courtroom 850

**PLAINTIFF'S NOTICE OF
TAKING THE DEPOSITION OF
DEFENDANT GERALD CAIAFA**

Date: February 2, 2015
Time: 9:00 a.m.
Place: Network Court Reporting and
Video
940 South Avenue, #2C
Westfield, New Jersey 07090

Action Filed: April 3, 2014
Trial Date: May 5, 2015

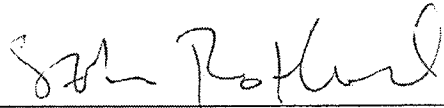
21 AND RELATED COUNTERCLAIM

22 TO ALL PARTIES AND THEIR COUNSEL OF RECORD HEREIN:

23 PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal
24 Rule of Civil Procedure, plaintiff Glenn Danzig will take the deposition of
25 defendant Gerald Caiafa on Monday, February 2, 2015 at 9:00 a.m. at the offices of
26 Network Court Reporting and Video, 940 South Avenue, #2C, Westfield, New
27 Jersey 07090. Said deposition will continue from day to day thereafter until
28 completed, weekends and holidays excluded, before a certified shorthand reporter or

1 other officer who is authorized by law to administer oaths and take testimony
2 pursuant to Rule 28(a) of the Federal Rules of Civil Procedure and will be recorded
3 stenographically and/or by videotape for discovery purposes and use at trial.

4 DATED: January 15, 2015 KING, HOLMES, PATERNO &
5 BERLINER, LLP

6
7 By: 
8 HOWARD E. KING
9 Attorneys for Plaintiff and Counter-Defendant
10 GLENN DANZIG
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 1900 Avenue of the Stars, Twenty-Fifth Floor, Los Angeles, CA 90067-4506.

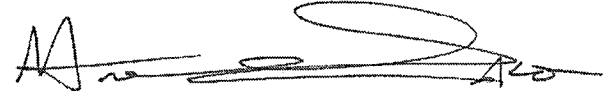
On January 15, 2015, I served true copies of the following document(s) described as **PLAINTIFF'S NOTICE OF TAKING THE DEPOSITION OF DEFENDANT GERALD CAIAFA** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address ytoko@khpblaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on January 15, 2015, at Los Angeles, California.



Yvette Toko

SERVICE LIST

Glenn Danzig v. Gerald Caiafa, et al.
U.S.D.C. Case No.: CV14-2540-RGK (RZx)

Curtis B. Krasik, Esq. *Attorneys for Defendants GERARD*
Christopher M. Verdini, Esq. *CAIAFA and CYCLOPIAN MUSIC, INC.*
K&L Gates LLP
K&L Gates Center
210 Sixth Avenue
Pittsburgh, PA 15222
Tel: (412) 355-6766
Fax: (412) 355-6501
Email: curtis.krasik@klgates.com
Email: christopher.verdini@klgates.com
Seth A. Gold, Esq. *Attorneys for Defendants GERARD*
Christina N. Goodrich, Esq. *CAIAFA and CYCLOPIAN MUSIC, INC.*
K&L Gates LLP
10100 Santa Monica Boulevard, 7th
Floor
Los Angeles, California 90067
Tel: (310) 552-5000
Fax: (310) 552-5001
Email: seth.gold@klgates.com
Email: christina.goodrich@klgates.com

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 1900 Avenue of the Stars, Twenty-Fifth Floor, Los Angeles, CA 90067-4506.

On January 15, 2015, I served true copies of the following document(s) described as **PLAINTIFF'S NOTICE OF TAKING THE DEPOSITION OF DEFENDANT GERALD CAIAFA** on the interested parties in this action as follows:

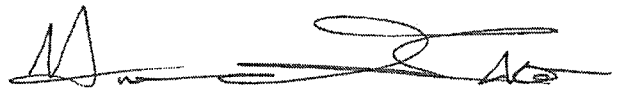
Seth A. Gold, Esq.
Christina N. Goodrich, Esq.
K&L Gates LLP
10100 Santa Monica Boulevard, 7th
Floor
Los Angeles, California 90067
Tel: (310) 552-5000
Fax: (310) 552-5001
Email: seth.gold@klgates.com
Email: christina.goodrich@klgates.com

*Attorneys for Defendants GERARD
CAIAFA and CYCLOPIAN MUSIC, INC.*

BY PERSONAL SERVICE: I personally delivered the document(s) to the person being at the addresses listed above. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 15, 2015, at Los Angeles, California.



Yvette Toko